

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JUSTIN WALLEY,

Petitioner,

v.

TROY STEELE,

Respondent.

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No. 4:18-CV-451 JMB

**MEMORANDUM AND ORDER**

Before the Court is petitioner's motion to proceed in forma pauperis on appeal, as well as petitioner's motion for appointment of counsel on appeal. The Court will grant petitioner's motion to proceed in forma pauperis on appeal, but petitioner's request for counsel on appeal will be denied, without prejudice. Petitioner may file his request for counsel in the Eighth Circuit Court of Appeals.

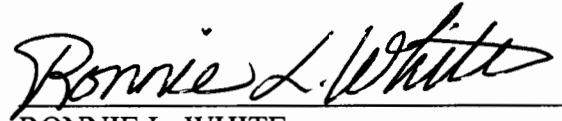
Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motion for leave to proceed in forma pauperis on appeal [Doc. #13] is **GRANTED**.

**IT IS FURTHER ORDERED** that petitioner's request for appointment of counsel on appeal [Doc. #10] is **DENIED** without prejudice with leave to be refiled in the Eighth Circuit Court of Appeals.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

Dated this 6<sup>th</sup> day of June, 2018.

A handwritten signature in black ink, reading "Ronnie L. White". The signature is written in a cursive style with a horizontal line extending from the end of the name.

RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE